

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- against -

22-cr-133 (JGK)

ORDER

RUDY BURGOS-HERNANDEZ,

Defendant.


JOHN G. KOELTL, District Judge:

On March 28, 2024, the defendant filed a renewed motion for retroactive application of Amendment 821 pursuant to 18 U.S.C. § 3582(c)(2). See ECF No. 124. The defendant's motion is denied for substantially the same reasons this Court denied the defendant's initial motion for an Amendment 821 sentencing reduction on March 12, 2024. See ECF Nos. 121, 123.

At sentencing, the Court determined that the defendant's offense level was 18, that the defendant's criminal history category was I, and that the original Guideline Sentencing Range was 27 to 33 months. The revised Sentencing Guidelines Range after applying the two-level downward adjustment in Section 4C1.1 is 21 to 27 months. Because the defendant was sentenced to 17 months' imprisonment, no reduction is authorized. The Clerk is respectfully directed to close ECF No. 124.

SO ORDERED.

Dated: New York, New York
April 4, 2024



John G. Koeltl
United States District Judge